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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,746	12/29/2004	Noboru Maesono	HONJ 106NP	9188
23995	7590	10/04/2006	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005				BLOUNT, ERIC
		ART UNIT		PAPER NUMBER
		2612		

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/519,746	MAESONO ET AL.	
	Examiner	Art Unit	
	Eric M. Blount	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 29 December 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 December 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12292004.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Motor Vehicle Operation Information Providing System.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Bailey et al [US 5,550,738].

Regarding **claim 1**, Bailey discloses a system for recording and analyzing vehicle trip data comprising a predetermined data storage for storing predetermined data from data appearing in a vehicle controller, wherein data is extracted from the predetermined data storage for analysis of driving information, the driving information providing system further comprising:

- a. A data collection controller (44) connected to the predetermined data storage (48);
- b. A removable memory (41) that can be attached to and removed from the data collection controller (Figure 3);
- c. The data collection controller comprising means for entering desired data in code (18, B/P); and a download section for downloading (18, D/L) data entered in code and

data in the predetermined storage into the removable memory currently attached (column 3, lines 17-35 and line 60 – column 4, line 5. A keyboard is also available for inputting information to be included memory.); wherein

d. The removable memory in which data is downloaded is collected and provided for analysis of driving information (column 3, line 60 - column 4, line 5 and column 5, lines 25-40).

As for **claim 2**, data is stored in the predetermined data storage by a storage-saving-type data recording method (column 5, line 64 – column 6, line 14).

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey et al [US 5,550,738] in view of Steiner [US 4,939,652].

As for **claim 3**, Bailey does not specifically disclose a frequency-accumulation-type data recording method. Steiner discloses a frequency-accumulation-type data recording method wherein every time a data value detected at predetermined intervals falls within a predetermined range of data values, a detection count for the range is accumulated and recorded (column 4, lines 20-55). Steiner shows that as long as a data value is not zero a detection count is recorded at each interval. It would have been obvious to one of ordinary skill in the art at the time of the

invention by the applicant to modify the invention of Bailey to include the data storage methods taught by Steiner because the modification would have resulted in a system that was more memory efficient.

As for **claims 4, 6, and 7**, Bailey does not specifically disclose that a plurality of codes may be entered in code. Steiner discloses that a plurality of codes may be entered into a data collection controller (column 3, line 40 - column 4, line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Bailey to include the code entry teachings of Steiner because the modification would result in a data controller that allowed input of various types of information without the use of an external keyboard. The code entry interface would provide convenience to the driver because the driver would not have to keep track of the keyboard.

As for **claims 5, 8, and 9**, Steiner discloses that the data to be entered in code is at least service route data and loading data (column 4, lines 1-10). Bailey discloses that a keyboard can be used to enter driver data and service route data (column 3, lines 60-64).

### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on Monday-Thursday 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eric M. Blount  
Examiner  
Art Unit 2612

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DANIEL WU  
SUPERVISORY PATENT EXAMINER  
9/29/06